

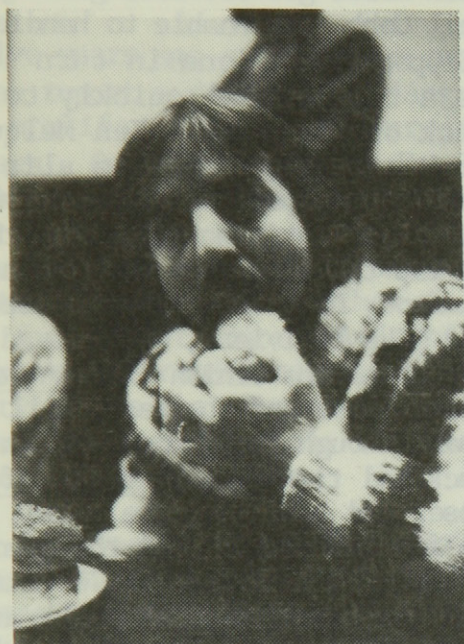
Quid Novi

VOL. II NO. 18

MCGILL UNIVERSITY FACULTY OF LAW

February 4, 1982

DONUT MASOCHISM



All Garber: "Listen, when you're married you'll eat anything."

BY LYNN BAILEY

A group of enthusiastic students gathered in the Moot Court on Tuesday to watch in awe while Allan Garber and Stuart Wainberg each consumed 18 donuts in 30 minutes to tie for top honours in Phi Delta Phi's donut-eating contest.

The contest was planned by the legal fraternity in order to raise money for the Cancer Society. (A spokesman for Phi Delta Phi states that over \$500 was raised in total.)

The two winners employed drastically different strategies, lea-

ving most of the audience unable to decide which was the most offensive. It appeared there was no contest from the beginning, Garber taking an early lead with 5 donuts in as many minutes and as many bites. He maintained only a slightly slower pace throughout the rest of the half-hour. Any hopes the crowd may have had for a rally from one of the other contestants seemed to vanish, as Pat Benaroch and Stuart Ducoffe chatted merrily with the crowd and the photographers. These two seemed to have forgotten that this was an athletic as well as a social event. While a few other participants were taking
(Continued page 2)

QUID NOVI ESSAY CONTEST

"What makes a law school great?"

This is the question which QUID NOVI has selected as the topic of the 1982 Essay Contest. As this week's editorial shows, the question has already been the focus of a rather lively discussion at Dalhousie Law School. Since the editorial but highlights a number of the issues, QUID NOVI cordially extends an invitation to both faculty and students to continue the discussion here in Chancellor Day Hall by participating in this contest.

Submissions must not exceed 2000 words. Entries close 5 March 1982. Submissions may be in either language. The best three essays will be published in QUID NOVI. Selection of the winner will either be by popular vote or by a panel of distinguished judges. A prize, to be announced, will be awarded to the

NEW COURSES CHURNED OUT

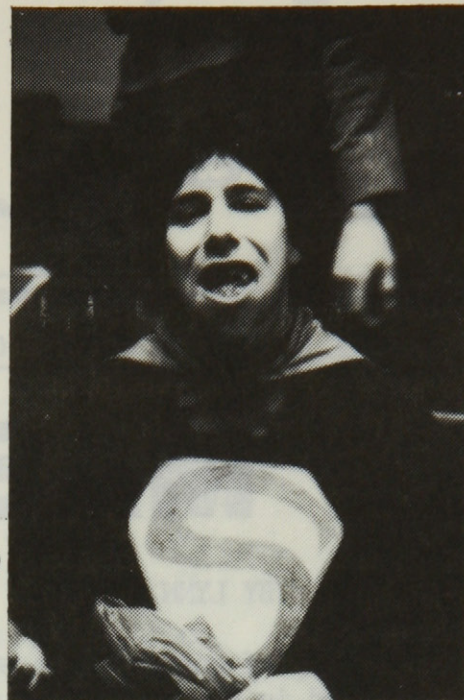
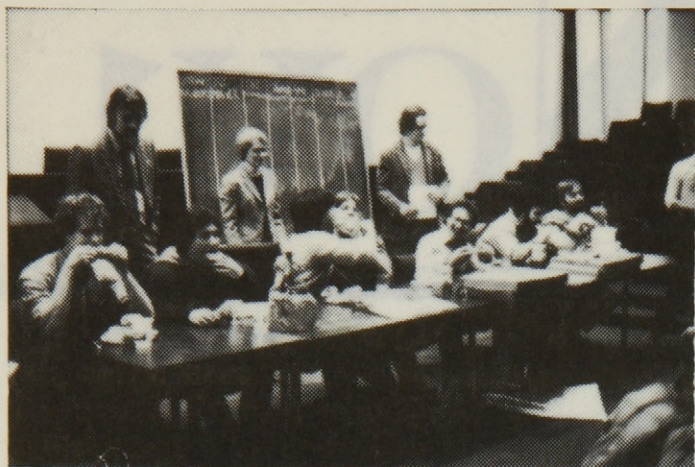
BY CELIA RHEA

Faculty Council approved two new national courses on Thursday: Canadian Legal History and Administrative Law (the existing Administrative Law course to be re-entitled Judicial Review of Administrative Action).

Canadian Legal History will be the first course in legal history ever to be included in the curriculum of a Canadian law school. Professor Baker will teach the course which will focus on "the history of that which is distinctive about Canadian Law." Professor Cr peau read the course description as emphasizing the Common Law. He indicated that he had already told

Professor Baker that he was concerned that the course should not be oriented towards the Common Law more than Civil Law. Professor Baker assured the Council that he agreed in principle that the history of both the Common Law and the Civil Law and a comparison of the two should be considered and that he would undertake to do so. Canadian Legal History will be an optional three-credit national course.

After a lengthy discussion Faculty Council moved that: "a three-credit national course entitled Administrative Law, as described in the Curriculum Committee Report, be established and the
(Continued page 8)



Contestants (above) and co-winner Wainberg

(right)

the competition more seriously, the crowd was sure that none would match the determination and concentration of Garber. Paul Mayer confessed to being psyched out by the very first bite in spite of his furious mental preparation before the match. In these days when the greedy consumer demands that each donut be more spectacular than the last, Mayer found the donuts grotesquely large, sweet and intimidating. An interview with Stuart Ducoffe and Ami Kaminski revealed that they had a special plan designed to induce hunger that they don't want mentioned. They would however appreciate some admiration and respect for having attended 4 consecutive hours of classes immediately following the contest. Roger Cutler incidentally, doesn't want anybody to think he choked, although some would have considered it permissible under the circumstances. He also doesn't want to be misquoted by Quid Novi, so it will suffice to say that 1) he found this year's contest marginally more enjoyable than last year's banana eating and 2) although he admitted to a weakness in strategy for not having started out more quickly, this is to be excused in anyone forced to sit beside the awesome Garber. Stuart Wainberg made an impressive entrance as Superman, but did not demonstrate any extraordinary eating capabilities in the opening minutes of the contest. In fact he was soon tearing apart his donuts into little pieces and making donut castles and donut men, a move taken by the audience as one of desperation and defeat.

Towards the end of the half hour, the fraternity began to sell some of the donuts which were obviously not going to be eaten or used for building purposes. Nearly the en-

tire crowd partook in what must have been the most widely attended consumption of sugar in the history of Chancellor Day Hall.

Several strategies were employed in the closing minutes of the contest as the exhausted participants mustered a final burst of energy towards a good cause. Wainberg, whose tally had been lower than most of the other contestants throughout the competition came out of nowhere, cramming the various donut shapes he had been creating into his already bulging mouth. Garber, whose chocolate removing technique was said by many to be the key to his success began scraping furiously on donut 18. When time was called, Wainberg had also somehow managed to fit the required 18 into his mouth.

The admission by Garber to Quid Novi that he was really not proud of his performance and that he had no desire to do the whole thing again came as a surprise to those of us who believed that the crazed look he sported that day was enjoyment. Perhaps what motivated him so strongly was the fact that he was sponsored by almost the entire LLB I class. This group of rugged individuals largely from west of Quebec, is out to prove it is not a minority. The class was in large attendance and beaming with pride at the gluttonous endeavors of their representative.

The Cancer Society will undoubtedly be grateful for the efforts of Phi Delta Phi, the judges and the contestants. It should be noted that Wainberg was still chewing 30 minutes after the contest in order to abide by the rules. All parti-

MARATHON

Jan. 28. Over 14 Hosers of all kinds united today in their first annual Hoser Frostbite Marathon to benefit the Canadian Heart Foundation and the L.U.S. Sports Committee. Over \$600 was raised in the 10 kilometer event in which 13 of the 14 participants completed successfully.

Starting time was 12:25 and each Hoser got off to a good jump. Neil Cobb was unable to handle the slippery conditions in turn 1 and as a result fell quickly to the back of the pack. Ken Melquist took advantage of this slip and carried the pace flag for the first kilometer until he started to fade. By lap three it was clear that Al Simeson, Dave "the Rave" Wiseman, and Mike Lariviere, would lead the Hosers to the finish line in record time. Hoser of the Year, Bill Tresham, though finishing deep in the pack had the most foamers of any Hoser and took home the Social Prize for the event. And the identity of those two Hosers in Gertrude's and the Common Room is still unknown today.

In all, the event was a success due to the hard work of many. Kathy Fisher, by far, led all runners with pledges and deserves special mention. So too does Mike Lariviere, Roger Cutler, and Bill Tresham, for organizing the event. Though no one got frostbite as advertised, the deteriorating conditions and the difficult hurdles at turn 2, turned back only one soul from completing the appointed rounds. For that, all runners deserve special mention. But in the end gratitude must go to all the sponsors of the event. The Great Hoser in the Sky thanks you personally. Oh, and before we forget, Grand Hoser Tresham reminds all Hosers that the hoped-for Back Bacon Party to celebrate the Marathon will hopefully be held in the spring somewhere in the Great White North.

cipants are to be congratulated for their assistance in providing yet another demonstration of the talents hidden away amongst the McGill population.

Two credit – Three credit

While rooting through some old files the other day I came across something that you might find interesting. It's called "Response to the memo circulated Feb. 11 by Prof. Scott". It was written by Ralph Keefer (LUS President 1979/1980) and dated Feb. 12, 1980. Here is a part of it:

"Five years ago a curriculum committee report warned of the danger of a proliferation of two credit courses. Over two years ago Faculty passed a resolution discouraging the creation of two credit courses. There has been discussion considering the creation of another full year four credit course in Special Contracts. Furthermore, the possibility exists that a similar proposal will be made by those teaching Commercial Transactions.

"A full year four credit course is essentially two two credit courses spread out over the year ...The above criticisms were originally raised with just cause by students in 1975."

The fears about Commercial Transactions and Special Contracts came true. I hasten to add, however, that while Comm. Trans. goes for the whole year, Special Contracts is given in one term. This year Tax I and Business Associations were given in two sections -- one being a full year four credit course, and the other being given in a single term. If enrollment is any indication, there is divided opinion over which is better. Some like it short. Some like it long. Let's hear it for free choice!

Trusts and Gifts and Torts have been reduced this year from five to four credits each. Like Bus. Ass. and Tax, they also have two sections. The reduction is acceptable if an analogous system of choice is worked out for them too. It would stop the eternal "cycle" from one to the other mode, and prevent what I'm sure would be a bad case of keefer madness if they all turned into full year sections.

Some two credit courses have also been created: Property IVA is down from three, Advanced Torts has been born and, if the original proposal goes through, we'll have Financing Commercial Transactions. More three credit courses are also being passed: Canadian Legal History, another Administrative Law course, Debtor Creditor, Protection of Creditor's Rights, and Native Peoples and the Law. In addition the four credit Property IA and two credit Property IIA are now amalgamated into one six credit course. The Debtor Creditor courses (one common law and the other civil) sound the end of the Bankruptcy course (two credits) at least for their two year trial period.

So far I think we're ahead. The tough nut in all of this is the Financing Commercial Transactions course. It won't wash, first because the civilian curriculum has an overload of two credit courses, and second because the vast majority of the "commercial" courses are two or four credit as it is. There is presently an amendment tabled in Faculty Council to increase its credit weight to three, and a sub-amendment to amalgamate it with part of the Property III (possession and prescription) course. Property III is a two credit

course, currently on the shelf. Both the amendment and sub-amendment were moved by students, and they caused some consternation. Certainly, interesting questions were raised. Aside from the natural alarm at seeing a new proposal at ten to six, the main problem seemed to be a categorical crisis.

In a nutshell, the objection was "you can't put apples and oranges in the same basket." The simple response is that we always do -- just see how many two credit courses can be created out of Constitutional Law, each totally distinct one from the other. What is required is the creation of a three credit "basket", with a name to cover all the parts. May I suggest "Modes of Acquisition of Movable Property"? Apples and oranges are both fruit, after all. Is this really a problem?

There is even a glimmer of hope for doing something similar with Financing Real Estate Transactions. The problem, as I say, is basket size. We can all manipulate categories to suit. This being so, I don't understand why two credits seems so inviting. Does it have to do with timetabling and not with academic consistency at all?

CAMPBELL STUART

Today:

GERALD GODIN

-Minister of Cultural Communities and Immigration
-Distinguished journalist

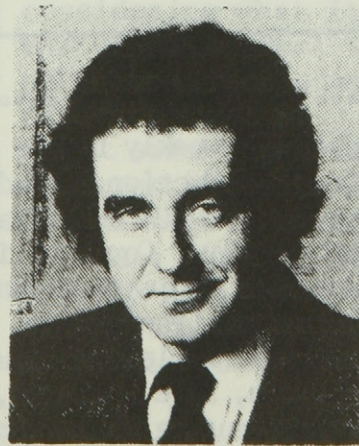
on

THE COVERAGE OF QUEBEC AFFAIRS
BY THE ENGLISH AND FRENCH PRESS.

Thursday, February 4th

1:00 p.m.

MOOT COURT



What makes a law school great ?

So what does make a law school great? On 4 October 1977, Willis L. M. Reese, Professor of Law at Columbia University was invited by Dean Ronald Macdonald of Dalhousie Law School to give an informal talk to faculty and students. A little uncertain as to what he should talk about, Dean Macdonald suggested "why don't you say something about what makes a law school great?" Still hesitant and filled with justified misgivings, Professor Reese nevertheless addressed precisely that topic. His talk was not soon to be forgotten.

Subsequent to his talk, Dean Macdonald, so it seems, saw fit to invite further speakers on the subject, and, in addition, a series of articles and comments from several notable professors upon the same subject. On 26 September 1979 Norval Morris, Julius Kreeger Professor of Law & Criminology of the University of Chicago, delivered Dalhousie's Horace E Read Memorial Lecture. His topic, though essentially identical, was addressed under the title of "Law Schools and Other Reformatories", a title which he confessed he had stolen from his occasional talks at prison graduation ceremonies. These, of course, he titled "Prisons, Law Schools, and Other Reformatories".

Responses to Dean Macdonald's invitation for Comments proved also favorable. Submissions were made from Maxwell Cohen, then Dean of McGill Law School, Professor Peter B. Carter of Oxford, John Willis, Professor Emeritus of Dalhousie Law School, and Moffat Hancock, Professor of Law Emeritus of Stanford University, not to mention all the others. (The whole series of transcriptions, articles, and comments has been neatly published in a recent issue of the Dalhousie Law Journal—Volume 6, Number 2, November 1980; available at the circulation desk.)

One's first reaction on reading the issue is that the grand question is not really answered; in-

stead, the debate is only just begun. Reese wrestles with the questions of teaching quality and student calibre; he considers the attitude of alumni, the purpose of legal education itself, and he even puts into question the supposedly time tested method of teaching we call the case method. It has not necessarily stood the test of time, and it is certainly time consuming: "the most time consuming method you could devise". On teaching quality, Reese casts doubts on the oft made mistake of associating scholarship with teachership: "you can be a brilliant scholar, or at least a reasonably good one, and a pretty dull teacher."

Also raised is the question of whether the prime job of faculty is to write or to teach. Gone are the days, says Reese, when the emphasis at Columbia was on teaching and a professor could even get tenure without having written — "but not now. You have to write now. Whether anybody reads what you write is irrelevant. But you have to write." Reese calls the professor who is hired solely for his literary fame and greatness "Professor Zilch". "People hear of Professor Zilch. They see his classroom and they see his office. 'That's Professor Zilch's office!!' And of course, nobody can understand him in class, and he may have nobody take his course. But nevertheless, there he is, the great Professor Zilch who just went down the hall and into the faculty washroom." Reese assures us that students after the first few weeks lose their awe; they prefer to have good teachers.

To be sure, however, students are no more immune to Reese's critique than faculty. In fact, Reese stands by the proposition that "the most important thing that makes a law school great is the students... students can educate each other to an extraordinary degree. Being in the company of bright people is an exhilarating experience." This is, of course, the ideal. In the cold and hard realities of law school life, one of the looming dangers that may undermine any school's chance at greatness is the attitude of its graduates when they leave the school. This is the direct product of student morale: "when you have students leaving the joint feeling that they don't like the place, that doesn't add to the enthusiasm of the alumni body, and so it is well to have good morale among the student body."

One reads with anticipation in "Law Schools and Other Reformatories" as Norval Morris, not altogether in gest, draws an analogy between the prisoner and the law student. Morris stands behind the old Hippocratic adage, *primum non nocere* — first and foremost, not to harm. He suggests that this is easier to achieve in prisons and in reformatories than in law schools. For those offended who will surely ask what possible kind of 'harm' a law school could do, the answer is not quite so elusive.

It is not only a question of what is taught, but also how it is taught and why it is taught. "The heart of the matter is that the task of legal education is to teach a culture, not a craft, just as the task of the prison training is to teach lawful living, not a trade."

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Staff: Peter Dauphinee, Lynn Bailey, Richard Janda, Martine Turcotte, Ron Lucciola, Gary Littlejohn, Paul Mayer, Celia Rhea, Daniel Gogek, Lesley Cameron, Lise Hendlitz, Kim Rodgers, Pearl Eliadis, Joseph Rikhof, Jeff Reusing, Demetrios Xistris.

Morris confesses that he does not remember the details of cases from year to year but that the "broad sweep of the law" remains firmly with him. Further, he is somewhat suspicious of those who cling to the details of statutes, case law, and procedure with great confidence and apparent precision; they usually lapse into repeated error. They should be checked up on.

His proposal then? A restructuring of legal education to best facilitate a congruent and conjoint training both in the culture and the craft of the law. Unmistakably then, an element of liberal education must be remain central to legal education. Said differently, "the day when lawyers and judges could confine themselves sedately to deeds, wills, trusts, and matters of commerce is gone. They must increasingly devote their special skills and talents to the large problems of community and national concern."

Interestingly enough, Maxwell Cohen pays more than mere lip service to the idea of possible "harm" to the student. However, his idea of harm is slightly different. It is the harm done by the teacher who fails to affect the sincerely interested student with respect to his "enthusiasm" for a field, or a subject, or with respect to his way of looking at the law: the failure of a teacher to be, as Cohen puts it, "influential".

But Cohen does not place the burden solely on faculty. Nor does he place it solely on the students. It clearly lies upon both. It is the "interaction of minds, teacher-student, student-student, and teacher-teacher, in a congenial setting, competitive but not a rat race with a suitable balance between work and leisure, and growing insights about the relationship of "principles" generally stated and life as generally lived, that combines to make a good legal education something more than the simplistic preparation for practice that the Bar once claimed was the primary goal."

In closing his piece, Cohen underlines one important element all too often absent in a law faculty: humility. Greatness, whether in a law school or in an individ-

idual, need not be worn on one's sleeve when it is already present. The school, and the student, must seek "the advantages of a good-natured humility, even when the temptations are almost irresistible."

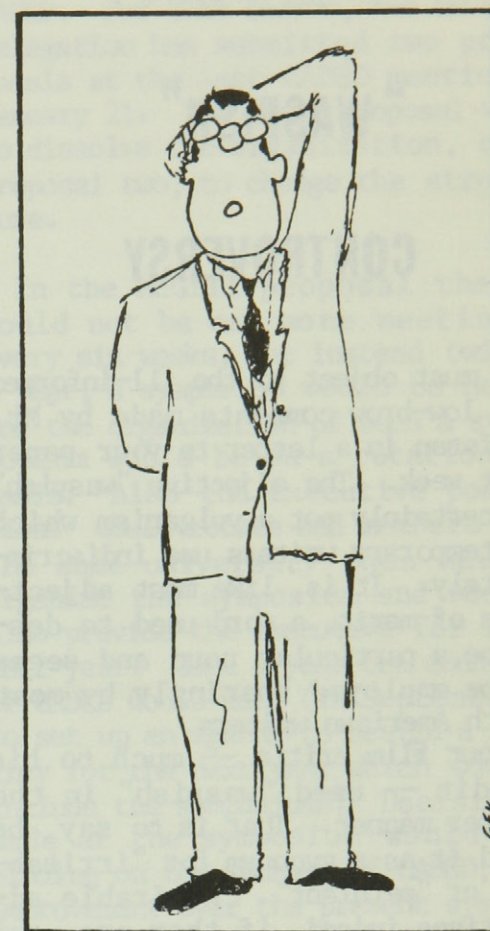
It is perhaps altogether fitting that John Willis' contribution seems to synthesize the whole debate when he speaks of "spirit". "I am thinking of the spirit in which the whole learning experience is approached. What distinguishes the good, and of course the great, law school from those which are merely respectable is that, true to the purposes of a university law school, it 'teaches law in the grand manner' and seeks 'always to give to its students the vision of law as a great instrument for social ends and to stress the duty of studying law in all its human applications.'"

The final note in the debate is sounded, it seems, in the contribution by Moffat Hancock in which he inquires into those elements which create a "national" law school. After replaying the old song that the famous national law schools of the U.S. were essentially products of extremely high standards, diligent case analysis and tough examinations, Hancock conjectures about which of Canada's present law schools will become its "first national law school". Though politeness clearly led him to suggest Dalhousie as the best candidate, one thing seems quite clear -- Canada does not yet have a "national law school".

The natural question, of course, is whether McGill could ever become Canada's first "national law school". To blindly lean toward an optimistic 'yes' before sincerely considering what it takes to be that kind of school would at best only be presumptuous and egocentric.

What seems clear is that a good many questions must first be asked. What seems even clearer is that a good many people in the school are already asking these questions. Perhaps the Quid Novi Essay Contest will bring out some insightful answers.

DANNY GOGEL



"YES, MY LORD, YOU HAVE THE LAST NAME RIGHT, BUT THE INITIALS ARE S.A., NOT F.R."

RE: DONUT EATING CONTEST PHI DELTA PHI

On behalf of Phi Delta Phi, and the Canadian Cancer Society, I would like to thank everyone for their contributions and support. We have collected over \$300 to date and we hope to reach over \$500 on total. Special thanks to the contestants: Stuart Wainberg, Roger Cutler, Paul Mayer, Ami Kaminski, Stewart Ducoffe, Allan Garber, and Patrick Benaroch. Would all those who have not yet paid their pledges please see Paul Mayer, Stuart Wainberg, or any Phi Delta Phi member.

MARC RUBIN
MAGISTER, PHI DELTA PHI

LETTERS

CONTINUING "WASPISH" CONTROVERSY

I must object to the ill-informed and low-brow comments made by Mr. Wulfstan in a letter to your paper last week. The adjective "waspish" is certainly not a vulgarity which contemporary writers use indiscriminately. It is, like most adjectives of merit, a word used to describe a particular noun and seems to be employed sparingly by most North American writers.

Your film critic -- much to his credit -- used "waspish" in the proper manner. That is to say, he used it as a synonym for "irritable" or "petulant". Admirable adjectives indeed, if they are used to describe the atmosphere of British society in the 1930's.

Had your film critic wished to indulge in the derogatory, he would, of course, have used "W.A.S.P.ish" or "W.A.S.P.-like", which are the correct forms. Your film critic seems to have no desire to slight Anglo-Saxonry.

The invective which Mr. Wulfstan subjected my race to obviously reflects unbridled jealousy. I state, with all sincerity, that the Scottish influence in Canada and abroad has only brought benefit and honour to the march of civilization.

MORAY OF WEST HULST

Normally I do not write letters to newspapers. After all, one cannot know when such statements might be used against their writer. It is much like signing petitions. However, after reading "Waspish?!" in 2 Quid Novi #17, p. 6 (1982), I find that I am unable to restrain myself.

Wulfstan claims that lazy pseudo-intellectuals too often have unfairly condemned those of Anglo-Saxon descent by lumping them in

with the "real villains", those north of the English border, who are said to have "tortured audiences for generations with their Highland prancing and terrible screeching of the pipes" and who refer to Edinburgh seditiously as the "old capital".

A quick glance at the propaganda of the last three hundred years, which Anglo-Saxons call history and culture, reveals the fallacy of these allegations. Clearly, it is the English who are the great villains of the western world, not least because of the way they have maligned the Scots through fifteen generations. We are repeatedly told, for example, that there will always be an England, that the sun will never set on the English Empire, and that early modern England was the greatest trading power the world ever has seen. Yet the publicizer's of such propaganda routinely fail to note that "England's" success dates precisely from that seminal day in 1603 when the Stuart dynasty gratuitously took the backward Anglo-Saxon people under its wing. Recent proposals in the Parliament at Westminster for home rule for England always get magically transformed in the racist Anglo-Saxon press into proposals contra. Indeed, examples of abuse are legion. In a recent "I Hate Cats" book, I noticed a sketch of the so-called One Hundred Pipers, each of whom had a live cat under his arm instead of a bagpipe. The pipers were depicted biting the cats' tails in order to produce "Scots music". In "Elizabeth R", a movie popular in the mid-1970's, the Scots were represented as drunken barbarians running amuck all over England. Moreover, the Irish tradition of acknowledging that country's debt to Scotland by celebrating St Patrick's Day has been transformed into some kind of celebration of the Irish people.

The unconscionable injustice of this anti-Scots racism should be apparent to even the most inattentive observer. Scotland is plainly the cradle of Western civilization. Yet Christmas, Easter, and Rosh Hashana are celebrated with enthusiasm while Robbie Burns' Day passed last week without so much as a whimper. A quick glance at a map of the Mediterranean world reveals that there is no place in the Fer-

tile Crescent, or anywhere near it, with a name like "Eden". Yet a similar glance at a map of Scotland reveals that there is a major centre with a name that sounds distinctly like "Eden". Indeed, it is the much-abused "old capital" called Edinburgh.

From that primeval garden, the issue of McAdam and McEve spread to the four corners of the globe. Accordingly, we have the Ghengis Klan in Mongolia, many McCloskeys and Stuartviches behind the Iron Curtain, and Macdonalds in Napoleon's army. When the evidence is presented in this light, the world's debt to Scotland becomes immediately clear.

And there are many other ways in which Biblical traditions have been used to repress our global Scots heritage. It is not by accident that the last names of the major Old Testament figures have been purged from the record. Had this massive purge not occurred, the history of civilization would be everywhere apparent, epitomized by names such as Moses MacDonald and Noah MacPhearson. The selectivity of this purge becomes clear when one reflects on the anomalous case of Christ himself, who was not Scots but Irish. Unlike the other figures mentioned here, he is regularly referred to by his two names -- Jesus Murphy.

Without multiplying unduly examples of discrimination against the Scots people, the events of the first century B.C. bear final emphasis. Roman traditions have been much aggrandized. Yet worshippers of Roman culture routinely fail to note that Caesar's quest to dominate the world halted at the Scots border when he encountered a superior civilization. Perhaps the greatest monument to the classical Scots civilization is Hadrian's Wall, erected and policed to ensure the sanctity of the Roman Empire against Scots intrusion. Yet we hear exactly nothing about classical Scots philosophy, neo-classical Scots architecture, or the ancient Scottish origins of modern legal systems.

Wulfstan is right. There is blatant racism and lazy pseudo-intellectualism running through all of this. But he has the shoe precisely on the wrong foot.

BRUCE

What is CADED ?

BY JOSEPH RIKHOF

CADED stands for Confédération des Associations des Etudiants en Droit and is an organization that was founded four years ago.

CADED wants to be a link between the student organizations of the law schools in Quebec and the law schools outside of Quebec where civil law is taught (notably Ottawa). Except for UQAM, which does not have a structure like the other law schools, all the Quebec law schools are represented in CADED, which has as objectives: promoting the relationship between the different law schools, co-ordinating its members' activities, and most important, giving the united voice of the members when dealing with a common problem like the repatriation of the 4th year or legal aid clinics. Apart from those objectives, CADED is also the official organization which deals with the Bar. When the Bar needs student representatives for a committee, it will ask CADED to provide some.

THE PROBLEMS OF CADED

The McGill delegation to CADED is rather critical of the developments of CADED up until now. Although a good idea, bureaucracy has taken

over in their opinion. Too much time is spent on procedural matters. People don't always come to meetings (for instance, nobody knows what the financial situation exactly is because the treasurer never shows up), meetings are too long, with very few results since a lot of the matters are postponed to next meetings (which are every six weeks).

The main complaint is that no initiative is taken by CADED and when finally something is started (a social law conference was held last year, there is a job bank project and a conference regarding the repatriation of the fourth year will be held this year), the structure of CADED slows down the process.

According to Campbell Stuart, the McGill delegation is especially frustrated since it initiated virtually all the projects which are now conducted by CADED. Stuart says "a lot of time is wasted and lots of energy is lost".

MCGILL'S PROPOSAL

Since the problems of CADED cannot really be blamed on the people that are working in it, there must be something fundamentally wrong with the structure of

CADED. For this reason, the McGill delegation has submitted two proposals at the last CADED meeting, January 21. The first proposal was to dissolve the organization, or, proposal two, to change the structure.

In the McGill proposal there would not be any more meetings every six weeks, but instead twice a year, a symposium would be held and the organization of such a symposium would be on a rotational basis. Also the executive positions would rotate and members of the same university then would organize the symposium and would also provide the executive for the half year. Once a year the council of CADED would meet (in September) to set up an agenda to design a policy for the next year which would include the symposiums. Decisions made at the symposium would be binding on the members of CADED, an improvement over the present system under which CADED can't impose any decisions on the respective student organizations.

There has not been taken a final decision yet but the proposals have been discussed and have been received positively. We can hope for a better organization and a more efficient CADED in the near future.

Chancellor Dry Hall

Notice those silly verses posted at the entrance to Old Chancellor Day Hall? There's a reason for them. First, though, by way of background, I would like you to read a memo circulated by Prof. de Mestral:

"You may be interested to know that the building was designed in 1896 by Bruce Price, the leading

New York architect of his day. It is the only example of domestic architecture by Price in Canada. Price was also responsible for the Hotel Viger, Windsor Station, Chateau Frontenac, Chateau Laurier, Banff Springs Hotel (sic) among other notable Canadian buildings. He was a principal proponent of the "chateau style". The building was renovated by the notable Montreal architects and designers the Maxwell Brothers during the period of 1910-1913. The building is therefore unique of its kind.

"I would like also to raise the question with colleagues as to whether it might be advisable, in the interests of the building, to request students — and perhaps staff — to use the New Chancellor Day

Hall entrance? The spectacle of a sea of salt and water during winter is a sad one. The doors themselves cannot survive being opened 500 times a day forever and they will be impossible to replace."

Since neither students nor staff really want to padlock the front door, a new, highly intricate plan, has been evolved to ruin your afternoon: 1) Only use the front entrance if you have overshoes that you can remove at the door. Otherwise use the new door; 2) Remove such overshoes before we all drown; 3) Memorize numbers 1) and 2).

This will be on the exam.

The ad hoc Committee for
CHANCELLOR DRY HALL

(Continued from page 1)
current course entitled Administrative Law be re-entitled Judicial Review of Administrative Action."

Professor Macdonald will teach the new Administrative Law which is described in the Curriculum Committee Report as follows:

"The administrative process and the legal structure of administrative agencies. Statutory interpretation, delegated legislation, policy rules, administrative discretion, administrative procedures and problems of institutional design will be considered in the context of some contemporary administrative agencies."

In the original motion the course was to be obligatory and a pre-requisite for Judicial Review. The rationale for this was that for some years there had been a move to make more public law courses obligatory; and that a grounding in the theory and structure of administrative agencies was a necessary tool in the study of control by the Courts of these agencies. Professor Baker was in favour of offering a course in administrative theory as well as one in judicial review. After teaching the course he felt that the present treatment of Administrative Law did not adequately cover the subject. He claimed that judicial review was approximately 1/10th of the interface between the Courts and administrative agencies and an Administrative Law course exclusively concerned with judicial review was like a Contracts course exclusively concerned with remedies.

Professor Baker stated that he had been unable to teach Administrative Law to his satisfaction using Professor Grey's casebook because of its heavy emphasis on judicial review and that he would not like to try to do so again. In response to this criticism, Professor Morrisette, who has taught Administrative Law, submitted a memo to Council in which he described Grey's casebook as "a sound teaching instrument for the purposes of a course which according to its description deals among other things with judicial review." He went on to say: "If a member of Faculty attempts to teach, as part

of the course, 'le Roman parnassien et l'Esthétique fin-de-siècle', he may find that Professor Grey's casebook is useless for this purpose."

The old Administrative Law taught by Professor Grey focused on judicial review. Professor Grey felt that in consideration of the fantastic activity of the Supreme Court in this area in the last fifteen years, a thorough coverage of judicial review was necessary. He added that the focus of the Administrative Law which has been taught at McGill is essentially the same as that of Administrative Law courses taught in other Quebec law schools, probably in other Commonwealth law schools, if different from the focus of such courses taught in American law schools. Because of the importance of judicial review, Professor Grey proposed an amendment such that both Administrative Law and Judicial Review should be compulsory. This amendment received considerable support notably from the student representatives. Stuart and Nitowski both felt that the importance of Administrative Law outweighed the desirability of freedom of choice for students in this case. Professor Durnford was opposed to creating two obligatory courses. He felt that the amendment reflected an attitude odiously similar to that of the Bar Council. He reminded the Faculty Council that the objective of the Law School is to equip students with a methodology and not with a knowledge of a specified body of law as the Bar Council would perhaps prefer. This sentiment carried the day and the Council voted 13-6 to delete the pre-requisite character and voted 11-7 to delete the obligatory character of the new Administrative Law.

The next motion of the Curriculum Committee presented by Professor Macdonald was as follows:

"Be it moved that a new optional two-credit civil law course entitled Financing Commercial Transactions, as described in the Curriculum Committee Report be established."

In response to this motion, Nitowski said that two-credit courses were undesirable and seemed

to proliferate in the civil law stream. Lamed pointed out that two-credit courses put students in a bad position because effectively the same amount of input is required as for a three-credit course. Professor Macdonald reported that the Curriculum Committee had decided that the course would not cover enough to merit three-credit status. Stuart moved that Property III be eliminated and that the material which it had comprehended be divided between Property II and the new course, Financing Commercial Transactions, which would then each become three-credit courses. The suggestion that the question be returned to the Curriculum Committee was emphatically rejected by Professor Macdonald. He stated that the Committee would simply return exactly the same proposal. Stuart's motion was tabled until the next meeting.

Three new prizes were approved at the meeting. The prizes are:

F.R. Scott Prize in Constitutional Law to be awarded annually to the student who in the opinion of the Faculty achieves the most distinguished standing in Constitutional Law in the undergraduate programme.

The Elizabeth Carmichael Monk, Q.C. Prize in Family Law to be awarded to a graduating student who achieved high standing in Family Law throughout the programme.

The Montreal Bar Mooting Prizes.

The Faculty Council will continue its consideration of the Curriculum Committee Report next Thursday.

